

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	CR. No.: 1:06cr269-MHT
)	
BRIAN STANYARD)	

**MOTION TO VACATE NOTICE OF INTENT TO CHANGE PLEA &
CHANGE OF PLEA HEARING**

NOW COMES the Defendant, **BRIAN STANYARD**, by and through undersigned counsel, Kevin L. Butler, and withdraws his notice of intend to change plea (Docket #44) and requests the presently scheduled September 11, 2007, change of plea hearing be vacated. In support of this Motion, the defendant would show the following:

1. Mr. Stanyard has moved to continue the trial of his case to allow the parties additional time to negotiate a disposition of this matter.
2. If trial is continued, the presently scheduled change of plea hearing will not be necessary.

WHEREFORE, Defendant respectfully requests the notice of intent to change plea (Docket #44) and presently scheduled change of plea hearing be vacated.

Dated this 6th day of September 2007.

Respectfully submitted,

s/ Kevin L. Butler

KEVIN L. BUTLER

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CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Clark Morris, Esquire
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler
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